

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>02/15/06</u>		2 Serial/Patent # <u>09/475,961</u>	
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
<input type="checkbox"/> Filing			\$
<input type="checkbox"/> Amendment			\$
<input type="checkbox"/> Extension of Time			\$
<input type="checkbox"/> Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/> Petition	—	9/29/05	\$ 400
<input type="checkbox"/> Issue			\$
<input type="checkbox"/> Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/> Maintenance			\$
<input type="checkbox"/> Assignment			\$
<input type="checkbox"/> Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ 400
		8 TO BE REFUNDED BY:	
10 REASON:		Treasury Check	
<input type="checkbox"/> Overpayment	<input checked="" type="checkbox"/> Credit Deposit A/C #:		
Duplicate Payment	, 0 1 -- 2 3 8 4		
<input checked="" type="checkbox"/> No Fee Due (Explanation):	<i>Filing date was changed in error - no fee required for petition</i>		
11 REFUND REQUESTED BY: <u>C. T. Donnell</u>			
TYPED/PRINTED NAME: <u>C. T. Donnell</u>		TITLE: <u>Pat Atty</u>	
SIGNATURE: <u>C. T. Donnell</u>		PHONE: <u>272-3211</u>	
OFFICE: <u>4700</u>			
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APPROVED: <u>Clay E. Hobbs</u>		DATE: <u>2/15/06</u>	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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Express Mail No.: EV734458837US

9D-EC-19335
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Jay Smith, et al. :
Serial No.: 09/475,961 : Art Unit: 3629
Filed: December 30, 1999 : Examiner: Richard S. Woo
For: DELIVERY MANAGEMENT :
SYSTEM :

**PETITION TO SECURE NON-PROVISIONAL FILING DATE AS OF MAILING
DATE VIA EXPRESS MAIL**

Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants respectfully request that the filing receipt in the non-provisional application (09/475,961) be corrected to set forth the correct filing date of 12/30/99. Applicants respectfully request that the non-provisional application be accorded the filing date on which the papers were sent "Express Mail Post Office to Addressee" mailing label number EJ 104656625 US on 12/30/99.

The correct filing date of the non-provisional application is 12/30/1999. Please note that the Corrected Filing Receipt dated 3/15/02 which shows the correct filing date of 12/30/1999. However, a subsequent Updated Filing Receipt dated 11/20/02 listed the filing date incorrectly as 09/16/2002.

Submitted herewith in support of the requested correction is:

A copy of the non-provisional application U.S. Post Office Express Mail label number EJ 104656625 US mailing receipt establishing the deposit of the Express Mail on December 30, 1999.

Adjustment date: 02/15/2006 CKHLOK
10/03/2005 YPOLITE1 00000044 012384 09475961
01 FC:1462 400.00 CR

10/03/2005 YPOLITE1 00000044 012384 09475961
01 FC:1462 400.00 DA

- A copy of the non-provisional application Return Post Card with Express Mail mailing label number EJ 104656625 US thereon as submitted to the U.S. Patent and Trademark Office with date-stamp thereon (setting forth a date of December 30, 1999).
- A copy of the non-provisional application Express Mail mailing label number EJ 104656625 US thereon as submitted to the U.S. Patent and Trademark Office with date-in completed by the U.S. Post Office (setting forth a date of December 30, 1999).
- A copy of the non-provisional application Certificate of Mailing by "Express Mail" with mailing label number EJ 104656625 US thereon (setting forth a date of mailing of December 30, 1999).
- A copy of the Non-provisional Application Corrected Filing Receipt from the U.S. Patent and Trademark Office dated 3/15/02 correctly listing the filing date as 12/30/99.
- A copy of the Non-provisional Application Updated Filing Receipt from the U.S. Patent and Trademark Office dated 11/20/02 incorrectly listing the filing date at 09/16/02 (It appears this is where the filing date error occurred).

Applicants request that a new, corrected filing receipt for non-provisional application (09/475,961) be issued and that the Assignment Division be notified so they will re-record the Assignment with the correct filing date of 12/30/1999.

A \$130.00 Petition Fee (37 C.F.R. 1.17(h)) is submitted herewith. Please Charge Deposit Account 01-2384 in the amount of \$130.00. If the fee required for this petition is different from the amount specifically authorized, please consider this as authorization to charge the necessary fee to the Deposit Account. Pursuant to MPEP 506.02, Applicants submit that no defect exists and, accordingly, requests a refund of the petition fee of \$130.00.

Respectfully Submitted,



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